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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2015 Grand Jury

UNITED STATES OF AMERICA,

CR No. CR15-0704

Plaintiff,

I N D I C T M E N T

v.

RAMI NAJM ASAD-GHANEM,
aka "Rami Ghanem,"

Defendant.

[22 U.S.C. §§ 2778(b)(2), (c),
22 C.F.R §§ 121.1, 123.1,
127.1(a), (e): Arms Export
Control Act; 18 U.S.C. § 554:
Smuggling Goods Out of the
United States; 18 U.S.C.
§ 1956(a)(2)(A): Money
Laundering; 18 U.S.C. § 2(a):
Aiding and Abetting; 18 U.S.C.
§ 2(b): Causing an Act to be
Done]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. Defendant RAMI NAJM ASAD-GHANEM, also known as ("aka") "Rami Ghanem" ("defendant GHANEM"), was a citizen of the United States.

2. Between in or about July 2014 and in or about December 2015, defendant GHANEM communicated with an undercover law enforcement agent who was in Los Angeles County and elsewhere.

1 Defendant GHANEM communicated with the undercover law
2 enforcement agent in person and by telephone, e-mail, and other
3 means for the purpose of purchasing and illegally exporting from
4 the United States weaponry and other military equipment without
5 a license.

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7 3. The Arms Export Control Act, Title 22, United States
8 Code, Section 2778 ("AECA"), authorized the President of the
9 United States to control the export of "defense articles" by
10 designating those items which shall be considered as defense
11 articles and by promulgating regulations for the import and
12 export of such articles.

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14 4. Defense articles that were subject to such licensing
15 requirements were designated on the United States Munitions List
16 ("USML"). Those designations were made by the United States
17 Department of State ("Department of State") with the concurrence
18 of the United States Department of Defense ("Department of
19 Defense"). (22 U.S.C. § 2778(a)(1); 22 C.F.R. § 120.2.)

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21 5. Category I of the USML included firearms, close
22 assault weapons, and combat shotguns. (22 C.F.R. § 121.1.)
23 Subsection (a) of Category I of the USML included nonautomatic
24 and semi-automatic firearms to caliber .50 inclusive (12.7 mm).
25 (22 C.F.R. § 121.1.) Subsection (e) of Category I of the USML
26 included silencers, mufflers, sound and flash suppressors for
27 the firearms enumerated in subsections (a) through (d) thereof.
28 (22 C.F.R. § 121.1.) Subsection (g) of Category I of the USML

1 included barrels, cylinders, receivers (frames) or complete
2 breech mechanisms for the firearms enumerated in subsections (a)
3 through (d) thereof. (22 C.F.R. § 121.1.)

4 6. Category III of the USML included ammunition/ordnance.
5 (22 C.F.R. § 121.1.) Subsection (a) of Category III of the USML
6 included ammunition/ordnance for the articles in Categories I
7 and II of the USML. (22 C.F.R. § 121.1.)

8 7. Category XII of the USML included fire control, range
9 finder, optical and guidance control equipment, such as image
10 intensification tubes, and included certain components, parts,
11 accessories, attachments, and associated equipment related to
12 the same. (22 C.F.R. § 121.1.) Subsection (c) of Category XII
13 of the USML included certain night sighting equipment, certain
14 image intensification tubes, and certain infrared devices. (22
15 C.F.R. § 121.1).

16 8. The AECA and its attendant regulations, the
17 International Traffic in Arms Regulations, Title 22, Code of
18 Federal Regulations, Parts 120-130 ("ITAR"), required a person
19 to apply for and obtain an export license from the Directorate
20 of Defense Trade Controls ("DDTC") of the Department of State
21 before exporting from the United States defense articles by any
22 means. (22 U.S.C. § 2778(b)(2); 22 C.F.R. §§ 120.1, 120.17.)

23 9. At no time did defendant GHANEM apply for, receive, or
24 possess a license to export defense articles related to the
25 counts described below.

1 10. The following items of weaponry and other military
 2 equipment were designated on the USML and required a license to
 3 be exported from the United States to any other country:

Commodity	Manufacturer	Model Number	Controls
Pistol	Kahr Arms	TP9 9MM	USML I(a)
Pistol	Kahr Arms	CW9 9MM	USML I(a)
Barrel	Kahr Arms	Threaded Barrel	USML I(g)
Suppressor	AAC	Evolution	USML I(e)
Ammunition	Remington	9MM Luger 115 Grain	USML III(a)
Rifle	Barrett	M99 .50 CAL	USML I(a)
Rifle	Barrett	M95 .50 CAL	USML I(a)
Rifle	Barrett	82A1 .50 CAL	USML I(a)
Ammunition	American Eagle	.50 CAL BMG-660 Grain	USML III(a)
MUNS (Night Vision Weapon Sight)	FLIR	PVS-27	USML XII(c)
Night-Vision Goggle	ITT	PVS-14	USML XII(c)

16 11. The factual allegations in paragraphs 1 through 10 are
 17 incorporated in all counts of this Indictment by reference and
 18 are re-alleged as though fully set forth therein.

1 COUNT ONE

2 [22 U.S.C. §§ 2778(b)(2), (c);

3 22 C.F.R. §§ 121.1, 123.1, 127.1(a), (e);

4 18 U.S.C. §§ 2 (a), (b)]

5 On or about August 26, 2015, in Los Angeles County, within
6 the Central District of California, and elsewhere, defendant
7 RAMI NAJM ASAD-GHANEM, also known as ("aka") "Rami Ghanem"
8 ("defendant GHANEM"), knowingly and willfully exported,
9 attempted to export, caused others to export, and aided,
10 abetted, counseled, demanded, induced, procured, and permitted
11 the export from the United States of the following defense
12 articles without first having obtained from the DDTC a license
13 or authorization to do so.

15 COMMODITY

16 Kahr Arms TP9 9MM Pistol

17 Kahr Arms CW9 9MM Pistol

18 Kahr Arms Threaded Barrel

19 AAC Evolution Suppressor

20 Remington 9MM Luger 115 Grain Ammunition

21 Barrett M99 .50 CAL Rifle

22 Barrett M95 .50 CAL Rifle

23 Barrett 82A1 .50 CAL Rifle

24 American Eagle .50 Cal BMG-660 Grain Ammunition

25 FLIR PVS-27 MUNS

1 COMMODITY

2 ITT PVS-14 Night-Vision Goggle

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1 COUNT TWO

2 [18 U.S.C. § 554; 18 U.S.C. §§ 2(a), (b)]

3 On or about August 26, 2015, in Los Angeles County, within
4 the Central District of California, and elsewhere, defendant
5 RAMI NAJM ASAD-GHANEM, also known as ("aka") "Rami Ghanem"
6 ("defendant GHANEM"), knowingly and fraudulently did, and
7 attempted to, and willfully caused others to, receive, conceal,
8 buy, sell, and facilitate the transportation, concealment, and
9 sale of merchandise, articles, and objects, and aided, abetted,
10 counseled, commanded, induced, and procured others to do the
11 same, all prior to the exportation of the merchandise, articles,
12 and objects, and all the while knowing that the merchandise,
13 articles, and objects were intended for exportation contrary to
14 a law and regulation of the United States.
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16 Specifically, defendant GHANEM did and attempted to buy and
17 arrange for shipment the following items, and did and attempted
18 to cause these items to be listed on the shipping invoice as
19 items different from those he believed would be shipped, and did
20 and aided and abetted, counseled, commanded, induced, and
21 procured others to do so, all the while believing that these
22 items would be exported from the United States contrary to the
23 law and regulations of the United States because defendant
24 GHANEM had not applied for or obtained the necessary license for
25 each such item.
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1 COMMODITY

2 Kahr Arms TP9 9MM Pistol

3 Kahr Arms CW9 9MM Pistol

4 Kahr Arms Threaded Barrel

5 AAC Evolution Suppressor

6 Remington 9MM Luger 115 Grain Ammunition

7 Barrett M99 .50 CAL Rifle

8 Barrett M95 .50 CAL Rifle

9 Barrett 82A1 .50 CAL Rifle

10 American Eagle .50 Cal BMG-660 Grain Ammunition

11 FLIR PVS-27 MUNS

12 ITT PVS-14 Night-Vision Goggle

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1 COUNTS THREE AND FOUR

2 [18 U.S.C. § 1956(a)(2)(A)]

3 On or about the following dates, in Los Angeles County,
4 within the Central District of California, and elsewhere,
5 defendant RAMI NAJM ASAD-GHANEM, also known as ("aka") "Rami
6 Ghanem" ("defendant GHANEM"), transported, transmitted, and
7 transferred, and attempted to transport, transmit, and transfer,
8 a monetary instrument and funds to a place in the United States,
9 namely, a bank account at a bank in the Central District of
10 California, from and through a place outside the United States,
11 namely Jordan, with the intent to promote the carrying on of a
12 specified unlawful activity, i.e., violating the Arms Export
13 Control Act, Title 22, United States Code, Section 2778, and
14 Title 22, United States Code, Parts 120-130, and unlawful
15 smuggling in violation Title 18, United States Code, Section
16 554.

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1 Counts Three and Four were two related transactions
 2 involving funds and monetary instruments of a value exceeding
 3 \$10,000. Specifically, the transactions described in Counts
 4 Three and Four were payments by defendant GHANEM to an
 5 undercover law enforcement agent for the purpose of purchasing,
 6 smuggling, and illegally exporting export-controlled weapons,
 7 ammunition, and other military equipment listed on the USML
 8 without first obtaining the required license from DDTC to do so.

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>
THREE	September 2, 2015	\$89,971
FOUR	October 22, 2015	\$89,971

14
 15 A TRUE BILL

16
 17 151
 18 Foreperson

EILEEN M. DECKER
 19 United States Attorney

20 
 21 PATRICIA A. DONAHUE

22 Assistant United States Attorney
 23 Chief, National Security Division

24 CHRISTOPHER GRIGG
 25 Assistant United States Attorney
 26 Chief, Terrorism and Export Crimes Section

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